

IN THE SENATE

SENATE BILL NO. 1073

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO COSMETICIANS; AMENDING SECTION 54-803, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 54-827, IDAHO CODE, TO REVISE A PROVISION RELATING TO A PERMIT TO PRACTICE, DEMONSTRATE OR TEACH COSMETOLOGY AND TO MAKE TECHNICAL CORRECTIONS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 54-803, Idaho Code, be, and the same is hereby amended to read as follows:

54-803. REGULATION OF COSMETOLOGICAL ESTABLISHMENTS. Every establishment licensed under the provisions of this chapter shall meet the following requirements:

(1-) It shall be unlawful to practice any of the occupations licensed under this chapter except in a place or establishment licensed therefor, or licensed under the provisions of chapter 5, title 54, Idaho Code.

(2-) It shall be unlawful for any person to employ, or to allow to be employed, in or about an establishment licensed under the provisions of this chapter, any person not duly licensed under the provisions of this chapter except a registered barber holding a valid, unrevoked license practicing barbering.

(3-) Where a licensed cosmetological establishment is located in or as a part of a home or other building containing living quarters, the portions thereof which are used for the licensed practice of cosmetology shall not be used as living, dining, or sleeping quarters.

SECTION 2. That Section 54-827, Idaho Code, be, and the same is hereby amended to read as follows:

54-827. PERMIT TO PRACTICE, DEMONSTRATE OR TEACH COSMETOLOGY. (1) Upon application, and payment of the required fee, the board or its designated agent shall grant a temporary permit authorizing a person to practice, demonstrate or teach cosmetology, or perform any one (1) or more of such functions in the following instances:

(a) When such permit is sought primarily for educational or demonstration purposes and the person making application therefore is licensed or qualified through proper documentation to practice or teach cosmetology in this or any other state, territory, possession of the United States or foreign country, and presents satisfactory evidence of that fact. When a permit is issued for this purpose, it shall specify the time and place when and where such educational demonstrations shall take place, and the permit shall be limited to such time and place, and in no instance shall said permit be for a period in excess of thirty (30) days.

1 (b) When a permit is requested for educational or demonstration purposes by a licensed  
2 school on behalf of its students currently enrolled or a licensed cosmetologist on behalf of  
3 an apprentice. When a permit is issued for this purpose, it shall specify ~~those students or~~  
4 ~~apprentices eligible to participate and~~ the time and place of the education demonstration;  
5 ~~and the permit shall be limited to those individuals and time and place.~~ In no instance  
6 shall the permit be for a period in excess of seven (7) days.

7 (c) When a permit is requested for practice by a person licensed under this chapter, by a  
8 licensed school on behalf of its students currently enrolled or by a licensed cosmetologist  
9 on behalf of an apprentice. When a permit is issued for this purpose, the permit holder  
10 shall observe and comply with the inspection and sanitation requirements established by  
11 board rule. The permit shall specify the location and date of practice and shall not exceed  
12 thirty (30) days. Members of the public may not be charged for any services performed  
13 in connection with a permit granted pursuant to this subsection.

14 (2) Facilities or locations used for cosmetological services pursuant to a permit obtained  
15 under ~~subsection (1)(a) or (1)(b) of~~ this section shall be exempt from the requirements for  
16 licensed establishments set forth in section 54-803(1-), Idaho Code. However, the facility  
17 or location and permit holder shall observe and comply with the inspection and sanitation  
18 requirements established by board rule.